

GLOUCESTER CITY COUNCIL MEETING

Tuesday, October 9, 2018 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Paul Lundberg; Vice Chair, Councilor Steven LeBlanc, Jr.; Councilor Valerie Gilman; Councilor Kenneth Hecht; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara

Absent: Councilors Cox and Holmgren

Also Present: Joanne M. Senos; Chip Payson; John Dunn; Jill Cahill; Karin Carroll; Dr. Richard Sagall

The meeting was called to order at 7:00 p.m. The Council President announced that this meeting is recorded by video and audio in accordance with state Open Meeting Law.

Flag Salute & Moment of Silence.**Oral Communications: None.****Presentations/Commendations:**

John P. O’Rourke, Director of Marketing Northeast, on behalf of Stefano Loretto of Good Energy, LP re: Municipal Aggregation

Jill Cahill, Director of Community Development, noted the city has been working with Good Energy, LP on its municipal aggregation program for the past three years. She thanked the Council and the city’s Administration for their support saying that the city will now be able to help consumers save money with more predictability on rates.

John P. O’Rourke, Director of Marketing Northeast, speaking for Good Energy, LP, the company that is the city’s municipal aggregation agent, announced the launch of the City of Gloucester’s Community Electricity Aggregation (CEA) program, designed to reduce and stabilize the cost of electricity for residents and businesses, and to promote the utilization of locally generated renewable energy. He reviewed the following for the Council through a Power Point presentation (on file):

A week ago today, October 2, 2018, there was a competitive bid process with three electric suppliers that bid on the city’s community aggregation to supply the city directly with electricity. This is a three year contract that runs from Dec. 2018 to Dec. 2021 at a rate of \$0.11085 per kilowatt-hour (kWh).

- Fixed Rates: Default option: \$0.11085/kWh (contains 5% extra renewable energy from Blackburn Wind Turbines); Basic option: \$0.1098 /kWh (no extra renewable energy); Premium: \$0.1308. He reviewed the “Basic” option with no associated renewable energy and the premium rate at \$0.1308 kWh (100% extra renewable energy). The NGRID winter rates are posted at \$0.13718/kWh (from 11/01/18 to 04/30/19). Rates through the aggregation program were noted to be very favorable with the new program contract.
- Gloucester’s CEA Program will launch with the December 2018 meter read and will be reflected in bills received January 2019.
- Program Roll-Out: On Oct. 6 a postcard will be received by all eligible city customers; Oct. 15 an opt-out letter is scheduled to arrive in city mailboxes to start the 30 day opt-out period; Nov. 14 ends the Opt-out Period. Any resident or business can leave the program at any time without penalty.
- Consumers will continue to receive a single bill from NGRID and anyone on NGRID basic service is initially eligible for the CEA program.
- For more information, please contact Good Energy LP at (866) 456-9232, or Direct Energy at (866) 968-8065 or go to the city’s website -- gloucester-cea.com.
- Examples of the website and the postcard to be sent to city electric consumers as well as the Opt-Out Letter, was shown. A brochure describing the program was noted to be available in all municipal offices.

COUNCILOR QUESTIONS:

Councilor Hecht asked for an estimate of what savings an “average family home” would realize through the CEA program. **Mr. O’Rourke** suggested that the average customer uses about 7,500 kWh/year; and depending on which part of the program is chosen, it could save quite a bit of money for rate payers.

Councilor Gilman asked if a person has already chosen an existing energy supplier other than NGRID, they may have a 90-day notice requirement to terminate their current contract, how they would be able to participate in the new municipal aggregation plan given the tight timeline for participation. **Mr. O’Rourke** advised they don’t encourage breaking a contract with a current supplier, but if they can get out of a contract without penalty, they can

call their supplier and be switched over on their next meter read date to join the aggregation plan. **Councilor Gilman** asked what the process is for a customer that cancels their current contract with another energy supplier to be able to participate in the CEA plan. **Mr. O'Rourke** conveyed that the customer upon terminating their current contract would be shifted onto NGRID's basic service, then immediately that customer should say they want to be in the CEA plan. At that customer's next a meter reading they would then be switched to the CEA plan. **Councilor Gilman** asked what the "5% extra" renewable energy option means to Gloucesterites. **Mr. O'Rourke** pointed out that the city's Renewable Energy Credits (RECs) from its wind turbine have been purchased by Green Energy Consumers Alliance (GECA). Good Energy LP obtains the city's RECs from GECA so that some of the energy generated by the city's wind turbines will come to customers in Gloucester, he advised.

Councilor Memhard asked about eligibility as it impacts businesses versus residential customers. **Mr. O'Rourke** noted the CEA plan is mostly for residential customers but residents or businesses on the NGRID basic service can enter into the program, including businesses.

Councilor Nolan asked if people are on plans that break down their payments during the year for household budgeting purposes, is the same payment plan offered through the CEA program or will people be told to opt out because some people pay in measured monthly payments. **Mr. O'Rourke** noted that any program that a customer is participating in with NGRID would continue including discount programs.

Council President Lundberg extended his thanks to both Ms. Cahill and Mr. O'Rourke about this "exciting" opportunity for the community.

Confirmation of New Appointments:

Historic District Commission William C.S. Remsen (to fulfill an unexpired term) TTE 02/14/19

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council appoint William C. S. Remsen to the Historic District Commission, TTE 02/14/19.

DISCUSSION:

Councilor LeBlanc explained that Mr. Remsen is currently serving as a city volunteer with the Historical Commission. As he will be fulfilling an unexpired term on a related to the Commission he is allowed, under the Code of Ordinances, to be appointed to the Historic District Commission as it is a complimentary Commission.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, to appoint William C. S. Remsen to the Historic District Commission, TTE 02/14/19.

Waterways Board Joseph D. Crowell (to fulfill an unexpired term) TTE 02/14/21

COMMITTEE RECOMMENDATION: On a motion by Councilor , seconded by Councilor , the Ordinances & Administration voted in favor, 0 opposed, 2 (Cox, Holmgren) absent, to recommend that the City Council appoint Joseph D. Crowell to the Waterways Board, TTE 02/14/21.

DISCUSSION:

Councilor Nolan thanked Mr. Crowell for stepping forward to serve on what he called one of the best Boards in the city.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, to appoint Joseph D. Crowell to the Waterways Board, TTE 02/14/21.

Consent Agenda:

- **MAYOR'S REPORT**

1. New Appointment: Council On Aging Anthony J. D'Antonio TTE 02/14/2021 (Refer O&A)
2. Memorandum from Library Director re: acceptance of the Library Services & Technology Act grant in the amount of \$30,000 (Refer B&F)

3. Memorandum from City Clerk: request to expend funds from the Receipts Reserved for Appropriation Fund to purchase as an additional city seal in the amount of \$518 (Refer B&F)
4. Memorandum from City Clerk: request to expend funds from the Receipts Reserved for Appropriation Fund to purchase a desktop inkjet printer in the amount of \$586 (Refer B&F)
5. Memorandum from Assistant DPW Director regarding the filming of "The Wrong Mans" movie production (Refer B&F)
 - **COMMUNICATIONS/INVITATIONS**
 - **INFORMATION ONLY**
 - **APPLICATIONS/PETITIONS**
1. SCP2018-004: Main Street #189, Map 8, Lot 27, GZO Sec. 2.3.1(7) "Conversion to or new multi-family or apartment dwelling, four to six dwelling units," Sec. 3.1.6(b) and Sec. 3.2.2 (fn) a (Refer P&D)
2. PP2018-009: petition by National Grid to install 1 new JO Pole and anchor beside 10R Tufts Lane (36 Bennett Street North) approximately 122 feet SE of existing pole (Refer P&D)
3. PP2018-010: petition by Comcast to install 335' +/- of underground conduit to a proposed 17" x 30" vault in sidewalk continuing across Main Street to #417
4. Special Events Application: Request to hold the 2018 Christmas & Tree Lighting Ceremony on November 25, 2018 (Refer P&D)
 - **COUNCILORS ORDERS**
1. CC2018-037 (LeBlanc): Amend GCO Ch. 22 "Traffic and Motor Vehicles", Sec. 22-280 "Fifteen-minute parking" be amended re: parking on Western Avenue, northerly side, from Centennial Avenue to Perkins Road (Refer O&A)
2. CC2018-038 (Hecht): Request the removal of parking meter #90 in front of the electrical pole #266 on Rogers Street, and amend GCO Sec. 22-280 "Fifteen-minute parking" to ADD one (1) fifteen-minute parking space on Rogers Street with proper signage (Refer O&A & TC)
3. CC2018-039 (Hecht): Amend GCO Ch. 22, Sec. 22-269 "Stop Intersection" be amended by ADDING Church Street as follows: Northbound traffic on Church Street at the intersection with Prospect Street
 - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 09/25/2018 (Approve/File)
2. Standing Committee Meetings: B&F 10/04/18 (under separate cover), O&A 10/01/18, P&D 10/03/18 (Approve/File)

Items to be added/deleted from the Consent Agenda:

By unanimous assent of the City Council the Consent Agenda was accepted as presented.

Committee Reports:

Budget & Finance: October 4

Councilor Memhard noted that the Chair of the B&F Committee, Councilor Cox was absent this evening because she was celebrating her wedding anniversary and extended his congratulations to her. **Council President Lundberg** noted the absence of Councilor Holmgren, away on vacation over the Columbus Day weekend and was unable to attend this meeting due to a cancelled flight and couldn't make it back to the city in time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under M.G.L. c. 44, §53A a Massachusetts Executive Office of Public Safety and Security, a FY19 State 911 Department Training Grant and Emergency Medical Dispatch/Regulatory Compliance Grant for \$115,978.84. There is no local match for this grant. The grant period is through June 30, 2019.

DISCUSSION:

Councilor Memhard explained that this is an annual grant which funds the department's Emergency Dispatch continuing education as well as quality assurance improvements. There is no match is required, he noted.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Hecht, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, to accept under M.G.L. c. 44, §53A a Massachusetts Executive Office of Public Safety and Security, a FY19 State 911 Department Training Grant and Emergency Medical Dispatch/Regulatory Compliance Grant for \$115,978.84. There is no local match for this grant. The grant period is through June 30, 2019.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2019-SA-6 in the amount of \$30,000.00 (Thirty Thousand Dollars) from the Highway Force Account, Transfers to the General Fund, Account #32085-596001, to DPW, Public Services-Repairs &

Maintenance Paving, Account #0147052-524014 for the purpose of funding miscellaneous road paving projects and the repair of crosswalk painting equipment.

DISCUSSION:

Councilor Memhard advised this Supplemental Appropriation will fund miscellaneous road paving projects and repair crosswalk painting equipment. The funding comes from the Highway Force account which is funded by fees from road opening permits. The DPW's crosswalk machine has broken down, he noted, and \$15,000 of this funding will be used towards the purchase a new machine. The new machine will have the capability to do long line painting between the travel lanes which will save the city money by not having to contract out that service, he added.

Councilor Gilman asked if the new machine will also be able to paint stop lines. **Councilor Memhard** expressed his understanding is the new machine will have that capability.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Hecht, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, to approve Supplemental Appropriation 2019-SA-6 in the amount of \$30,000.00 (Thirty Thousand Dollars) from the Highway Force Account, Transfers to the General Fund, Account #32085-596001, to DPW, Public Services-Repairs & Maintenance Paving, Account #0147052-524014 for the purpose of funding miscellaneous road paving projects and the repair of crosswalk painting equipment.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council to permit payment of a FY2019 Invoice #1155 Urban Care LLC-Home of the Side Walk Buttler, Scarborough ME, dated 09/09/2018, for #7 Buttlers: Custom Labels in the amount of \$180. There was not a purchase order in place before the goods were received.

DISCUSSION:

Councilor Memhard recounted this is a corrective measure as a Purchase Order was not opened for this purchase and has now been rectified.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Hecht, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, to permit payment of a FY2019 Invoice #1155 Urban Care LLC-Home of the Side Walk Buttler, Scarborough ME, dated 09/09/2018, for #7 Buttlers: Custom Labels in the amount of \$180. There was not a purchase order in place before the goods were received.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council in accordance with MGL c. 44, §64 approve payment for services rendered by Morgan, Brown & Joy, LLP, Attorneys at Law, Boston, MA, Invoice # 279972, dated 06/26/2018, for conducting a Harassment Prevention Training course for the City of Gloucester in FY2018 to be paid with FY2019 General Fund – Human Resources Department budgeted funds for a total of \$960.00.

DISCUSSION

Council President Lundberg explained that this was a FY18 activity that needs to be paid with FY19 funds.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Hecht, that the City Council voted 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, in accordance with MGL c. 44, §64 to approve payment for services rendered by Morgan, Brown & Joy, LLP, Attorneys at Law, Boston, MA, Invoice # 279972, dated 06/26/2018, for conducting a Harassment Prevention Training course for the City of Gloucester in FY2018 to be paid with FY2019 General Fund – Human Resources Department budgeted funds for a total of \$960.00.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Special

Budgetary Transfer 2019-SBT-3 in the amount of \$1,500 from Account #0116151-511300, City Clerk, Personal Services, Wages-Hourly Permanent to Account #0116352-520000, Registration Ordinary Maintenance-Purchase of Services, for the purpose of paying poll workers per diem for Early Voting for the November 6, 2018 Election.

DISCUSSION:

Councilor Memhard conveyed the following information: The state mandates cities and towns to offer Early Voting for 10 days before the state election. During that time the City Clerk's office has to set up voting as if registered voters were at their polling place. This requires 12 people each day in addition to the City Clerk's staff to run Early Voting in City Hall. Voting will be available during City Hall's regular business hours in Kyrouz Auditorium. In the FY19 budget the City Clerk was budgeted \$1,500 for the purpose of hiring a 10-week temporary staff person to assist during the election season which was advertised but failed to attract any candidates. The City Clerk would like to offer a \$20 incentive payment to those people who have stepped forward to volunteer their time to assist the City Clerk's office to run Early Voting. Early Voting was offered for the first time two years ago, and the City Clerk's office processed over 4,200 ballots with about 350 volunteer hours. The B&F Committee was informed by the City Clerk that other communities pay their Early Voting poll workers, feed them, or offer a nominal incentive payment. The account from which funds are being asked to be transferred funds is an election-related account.

At the request of **Councilor O'Hara, Joanne M. Senos**, City Clerk, conveyed that Early Voting for any registered voter in the city commences on Monday, Oct. 22 and ends Friday, Nov. 2 at 12:30 p.m. and will be held during regular City Hall hours in Kyrouz Auditorium Monday and Wednesdays 8:30 to 4:00 p.m.; Tuesdays and Thursdays voting is available 8:30 a.m. to 7:00 p.m. and Fridays 8:30 a.m. to 12:30 p.m. If residents qualify for Absentee Balloting they can request a ballot through the City Clerk's office, or vote at the polls on Election Day, November 6 at their regular polling places from 7:00 a.m. to 8:00 p.m. Early Voting is mandated by the state with no monetary reimbursement to cities and towns, she noted.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Hecht, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, to approve Special Budgetary Transfer 2019-SBT-3 in the amount of \$1,500 from Account #0116151-511300, City Clerk, Personal Services, Wages-Hourly Permanent to Account #0116352-520000, Registration Ordinary Maintenance-Purchase of Services, for the purpose of paying poll workers per diem for Early Voting for the November 6, 2018 Election.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the following Special Budgetary Transfer 2019-SBT-4 in the amount of \$100 from Account #0116151-512000, City Clerk, Personal Services, Salaries & Wages - Temporary to Account #0116352-520000, Registration, Ordinary Maintenance - Purchase of Services, for the purpose of paying poll workers a per diem for Early Voting for the November 6, 2018 Election.

DISCUSSION: None.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Hecht, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, to approve Special Budgetary Transfer 2019-SBT-4 in the amount of \$100 from Account #0116151-512000, City Clerk, Personal Services, Salaries & Wages - Temporary to Account #0116352-520000, Registration, Ordinary Maintenance - Purchase of Services, for the purpose of paying poll workers a per diem for Early Voting for the November 6, 2018 Election.

Ordinances & Administration: October 1

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council petition MassDOT to reduce the speed limit on Bond Street from 30 mph to 20 mph.

DISCUSSION:

Councilor LeBlanc explained that there have been complaints of vehicles speeding on Bond Street is a winding roadway with blind corners and no sidewalks. The speed limit is now 30 mph which he termed “excessive” for that area. As the roadway dissects Wards 5 and 3, he and Councilor Nolan have joined to request the Council petition MassDOT to reduce the speed on Bond Street to a more appropriate speed limit for this particular residential area.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, that the City Council petition MassDOT to reduce the speed limit on Bond Street from 30 mph to 20 mph.

Planning & Development: October 3

There are no matters for Council action under this heading. **Councilor Gilman** mentioned that the Committee permitted the Mayor’s Halloween Festival, taking place on Sunday, Oct. 28 from 1:00 p.m. to 4:00 p.m. at City Hall. It was agreed at P&D that they would encourage their fellow Councilors to attend in costume.

Scheduled Public Hearings:

1. PH2018-051: Group Free Petition under City Charter Sec. 9-1(b) to stop artificial fluoridation of city water

Prior to the opening of the public hearing, **Council President Lundberg** conveyed that this public hearing is in accordance with the City Charter Sec. 9-1(b) “Group Petition-Actions Required” and then read that section of the Charter. He advised there was a petition signed by over 150 registered city voters to prompt this public hearing. He then read the petition description (on file). He noted that speakers for the public hearings come under Rule 4C of the City Council’s Rules of Procedure - initial presenting proponents from each side of the issue will have for 15 minutes to speak, and all other members of the public who wish to speak have three minutes. He advised that there is no Committee Report motion before the Council, and they will not be voting to eliminate or keep fluoride in the city’s water supply. This is an informational public hearing, he pointed out. Once the public hearing is closed the Council will have a discussion as to what they may wish to do moving forward. He announced that Karen Favazza Spenser has represented herself to be the spokesperson for the proponents of the petition.

This public hearing is opened at 7:39 p.m.

Those speaking in favor:

Karen Favazza Spenser, 67 Langsford Street, gave a Power Point presentation to the Council and highlighted the following matters:

- Only the City Council has the authority to issue cessation -- a decision that should be made based on ethics, evidence, environment and economics not on politics, for the protection of its population
- A letter was sent signed by Ms. Spencer, Linda Wrinn, Lin Chandler and Damon Cummings to the Council submitting a letter from the International Academy of Oral Medicine and Toxicology (IAOMT) referencing a recently published Position Paper Against Fluoride Use (on file) early in 2018
- In Feb. 13, 2018 under Oral Communications, Ms. Spencer and three other Gloucester residents spoke asking for the cessation of fluoridation of the water supply and the Council was given seven copies of the book, “Pregnancy and Fluoride Do Not Mix booklet written by John D. MacArthur” published in 2016 containing 300 scientific citations
- Two studies from 2018 were quoted showing heightened dental fluorosis from 2011 to 2012 among American adolescents caused by the consumption of fluoride during early childhood, and briefly described were on-going dental issues that followed these adolescents through their adulthood;
- Using bottled water rather than tap water only offers partial protection because water permeates everything that is prepared with it
- Citing a study on an adult Mexican population environmentally exposed to fluoride and low arsenic levels, and the effect of fluoride on major organs with different time of exposure in rats, it was cited that one in seven Americans are estimated to have chronic kidney disease. A 2018 study confirmed that fluoride in urine predicts kidney disease;
- Fluoride consumption is linked to diabetes using mathematical models, from an August 17, 2016 Case Western Reserve University study, age-related diabetes related to fluoride;

- A 2018 study suggested a positive correlation between excess fluoride and hypothyroidism.
- Fluoride studies from 2016 suggested it may reduce bone density in postmenopausal osteoporosis patients; a 2018 study found that girls in fluoridated U.S. communities had weaker bones, boys had abnormalities consistent with pre-tumors; a 2016 North African study compared water concentrations of 0.4 and 1.38 ppm. It was noted that Gloucester's natural fluoride concentration is believed to be 0.3 ppm water up until 2015 when it was lowered to 0.7 ppm. Gloucester water reports frequently report 1.4 ppm. The North African study suggested that with osteosarcoma, the most common type of malignant bone tumor, fluoride ions may play a role as an underlying factor;
- There are medical reasons not to consume fluoridated water, and that fluoridated waste water damages the environment; fluoridated water is not recommended for babies and senior citizens;
- Bioethics was touched on -- that individual medical consent is being ignored and that the Safe Drinking Water Act is being flouted. **Ms. Spencer** called it, "medical assault and battery by the city;"
- Lead poisoning vs. negligible cavity reduction was also touched on;
- In 2017 an NIH sponsored international team published findings of a 12 year investigation found a prenatal exposure to fluoride in doses with those in optimally fluoridated communities resulted in up to a six point lowered IQ on a dose response trend line;
- In 2016 a citizen's petition was filed with the federal Environmental Protection Agency based "just" on the evidence of neurotoxicity from prenatal and childhood exposure which was rejected. A federal judge in 2017 told the EPA that their rejection was inconsistent with the EPA mission. **Ms. Spencer** advised she is a part of that lawsuit scheduled for August 2019;

Ms. Spencer pointed out she didn't deserve some of her medical issues which she advised is due to fluoridation saying that citizens are being harmed by fluoridation of the city's water supply. She urged the Council to petition the state via a Home Rule Petition for a fluoridation exemption. If they don't take action tonight she suggested that the Council put fluoridation on each of the Standing Committee agendas to give opponents the opportunity to work with the Committees on their areas of concern.

The following Gloucester residents voiced their concerns and opinions about fluoride added to the city's water supply all asking that it be stopped:

Brenda Malloy, 43 Rocky Neck Avenue
Linda Wrinn, 50 Bennett Street South
Patti Page, 3 Tidal Cove Way
Tracey Ritchie, 47 River Road
Catherine Goodick, 10 Dogtown Road
Carmine Gorga, 87 Middle Street (written statement placed on file);
Leroy Rangan, 43 Western Avenue
Howard Mackey, 381 Western Avenue
Jennifer Entwistle, 334 Washington Street

Residents of Other Area Communities voiced their concerns for fluoride added to the city's water supply:

Allen McMillian, 18 Story Street, Rockport
Jessica McGovern, 115 Beach Street, Manchester (written statement placed on file)
Barbara Goll, 8 Atlantic Avenue, Rockport
James Brownell, 97 Horse Pond, Sudbury, MA
Andrew Terchner, 18 Bennett Road, Boxford
Zenas Seppala, 92 Granite Street, Rockport;
Johanna Keefe, RN, 8 Victoria Road, Manchester (written statement placed on file)

Those speaking in opposition:

Dr. Richard Sagall, Chair-Gloucester Board of Health (written statement placed on file), retired family physician, spoke to keep fluoride in the city's water supply and noted the following:

- Three years ago the issue of fluoridation was debated at the Council and there was a referendum ballot on the issue, with a presentation made on many of the pros and cons. The citizens of Gloucester and Rockport voted on whether to continue supplementing their water supplies with fluoride to obtain the currently recommended levels. In Gloucester 65% of voters voted to continue community water fluoridation and in

- Rockport it was approximately 58%. Since that time there haven't been "credible" studies that have changed the consensus of opinion of medical, dental and public health officials concerning fluoridation.
- Fluoridation continues to be the most cost effective method of preventing dental decay.
 - Is community water fluoridation effective? Dental decay affects most Americans; about 60% of teenagers have some decay as do 95% of adults; numerous studies over many years having demonstrated the effectiveness of community water fluoridation in preventing tooth decay of all ages, costing pennies per dollar to save "billions of dollars." A 2013 study found that estimated savings from community water fluoridation was \$6.8 billion per year (\$32 per person in fluoridated communities). A 2005 study also came to the same conclusion.
 - Over 160 Massachusetts communities fluoridate their water protecting over 4 million people, about 2/3 of the state's population.
 - In the statement placed on file, there is reference to over 120 organizations that support the fluoridation effort.
 - Is fluoride safe? "The dose determines the poison." Any substance can be toxic if the dose is high enough -- too much oxygen or too much water can be toxic and may result in death. Too much fluoride in the water can cause harm which is why the fluoride levels are "carefully monitored, reevaluated and adjusted."
 - It was pointed out that botulism toxin is the most poisonous substance known yet in very small doses it can be used medically -- it's known as "Botox."
 - A tube of toothpaste doesn't have enough fluoride to kill a child. A 4.5 ounces contains around 150 milligrams of fluoride. The lethal dose for a child weighing 45 lbs. is 655 milligrams or the consumption of over four tubes of toothpaste. The toxic dose of fluoride is 5 milligrams per kilogram of body weight. A 150 lb. adult would have to drink 350 liters of fluoridated water (93 gallons) within a short period of time to consume a toxic dose.
 - Many studies showing adverse effects of fluoride involve much higher levels of fluoride in the water than found in this country. Citing a recent study frequently cited by anti-fluoridationists is a study done in Mexico in communities without fluoridation which they claim bolsters their hypothesis that fluoridation leads to decreased IQ's. The study wasn't designed to answer the question of fluoridation and IQ's; any conclusions are invalid.
 - Is Community Water Fluoridation Legal? Is this forced medication? "No state court of last resort" has determined community water fluoridation is illegal. The US Supreme Court has ruled at least a dozen times saying there are no substantial federal or constitutional questions involved. Courts have ruled that fluoride is a nutrient, not a medication; fluoride is present naturally in the environment; no one is forced to drink fluoridated water as alternatives are available. Courts have continually ruled that community water fluoridation is not a form of compulsory mass medication or socialized medicine. Water supplemented with fluoride is akin to fortifying salt with iodine; milk with vitamin D and milk with calcium.
 - Is fluoridation a matter of social justice? Community water fluoridation helps to reduce disparities in dental health at the community level. Populations with lower socio-economic levels in communities with fluoridated water have less tooth decay than those of the same population in non-fluoridated communities.

Dr. Sagall concluded his remarks by saying fluoridation is safe, effective, legal and is a matter of social justice; that Gloucester should continue to supplement its water supply with fluoride. He mentioned a booklet from the ADA (American Dental Association) on fluoridation which he indicated he would give to the Council.

The following doctors, either Gloucester residents or practicing in and around the city of Gloucester expressed their support for the city's continuing to fluoridate its water supply:

Dr. John Fisher, General Dentist, Salem, MA and Chair of the Better Oral Health and on the Oral Health Committee for the Mass. Medical Society and the Advisory Board for the Forsyth School of Dental Hygiene (written statement placed on file);

Dr. Benjamin Polan, DMD, Dental Director of the Gloucester Children's Dental Center living at 3 Little Drive, Danvers. **Council President Lundberg** offered his thanks and his appreciation to Dr. Polan for his service to the city's dental clinic which he conveyed is very important to the city.

Dr. Bill Bebrin, DMD, 9 Beach Road, practicing as an Orthodontist at 5 Dr. Osman Babson Road

Dr. Brian Orr, Pediatrician, 7 Brooks Road, practicing at 1 Blackburn Drive

Dr. David Harrison, DMD, 3 Breezy Point Road, practicing at 222 Washington Street

Rebuttal:

Ms. Spencer advised this was dismissed ethics and “denigration of facts” she previously presented saying that she did presented credible facts. She recounted a conversation with Dr. Sagall in 2014 where she said he told her fluoridation is a social justice issue and is for the greater good. Pointing out the studies she obtained through her research, she is a Master degreed analyst. She advised that while dental health issues may be costly but that kidney and thyroid diseases, cancers, and other medical issues caused by ingestion of fluoride is much more costly. She pointed out that there is a liability issue also.

Communications: **Karen Favazza Spencer**, multiple email communications against fluoridation of city water; Mac Bell by email against fluoridation of city water; **Rebecca Mahoney**, 31 Langsford St., by email against fluoridation of city water; **Barbara Parsons**, Washington Street, by email against fluoridation of city water.

Councilor Questions:

Councilor Hecht asked had the Board of Health read some of the studies that were referred to by the anti-fluoridationists. **Dr. Sagall** noted he had read the mentioned study done in Mexico referred to by both sides. There are biases, but the study showed fluoride in appropriate doses was safe. Too much fluoride is unsafe as is any other substance in excess. The studies are complex, and results aren’t always clear, he added.

Councilor Gilman asked what the issues are with homes that have wells for their water supply. **Dr. Sagall** advised that is up to those individual homeowners and would have to test the level of naturally occurring fluoride and can supplement their water source with tablets.

Councilor O’Hara asked if was true that a fair amount of the manufactured consumer food products contain fluoride. **Dr. Sagall** advised there are a lot of food stuffs that contain fluoride and could provide a list for the Councilor. He mentioned that a lot of teas have fluoride in them. He pointed out that is why the optimal level of fluoridation has changed over time because the scientists who study and work with them all the time are looking into those factors to see if they should be lowering the fluoride levels in the water supply because people obtain fluoride from other sources as well. **Councilor O’Hara** asked if the city is adjusting its level of fluoride. **Dr. Sagall** said, “Yes,” and that a number of years ago the level was lowered. **Councilor O’Hara** asked what criteria is used in lowering the fluoride level. **Dr. Sagall** advised that there is a safe level based on the total intake of fluoride. **Councilor O’Hara** pointed out fluoridation is a local and personal issue for people, and that it didn’t make sense to him. He mentioned “Poland Springs” bottled water that has no fluoride in it. **Dr. Sagall** pointed out they don’t know what level of fluoride is in the spring water. He and Councilor O’Hara engaged in a brief discussion on testing of bottled water. **Councilor O’Hara** asked if fluoride is a waste product of the aluminum industry. **Dr. Sagall** indicated that one source of fluoride is a byproduct of fertilizer manufacturer. Just because it is a byproduct doesn’t mean that it’s bad, he pointed out. He advised that fluoride to be introduced into water supplies has to meet certain government standards. On further inquiry by **Councilor O’Hara**, **Dr. Sagall** indicated he didn’t know the date when fluoridation of the city’s water supply started. They also touched on the differences between other countries that utilize different forms of fluoride and how it is introduced into the population, as well as how it is not comparable to what is done in the United States.

Councilor Memhard noted a concern addressed, understanding that the Board of Health is balancing the general well-being of the community, that there are within the general population of a certain percentage of people who may be unusually sensitive to certain chemicals in the environment. The Board of Health is balancing the general health of the community from a public health point of view against people who have to spend extra money to protect them and adjust their lives because of their personal chemical sensitivities and any impacts to their health and is a balance. **Dr. Sagall** advised what was heard earlier were “anecdotes” and expressed his belief in scientific studies and double blind placebo controlled studies. He related a story about when Boston was going to introduce fluoride into its water supply. They publicized they would introduce it in February of that particular year and on Feb. 1 the city received a “flurry” of calls from residents citing a variety of bodily complaints such as stomach and skin problems, etc. They didn’t tell the public that they didn’t introduce the fluoride on Feb. 1 because of a mechanical problem. The water on Feb. 1 was the same as on Jan. 31. He advised he’d not seen any studies about people who claim physical sensitivities to fluoride ingested through a community water supply, and couldn’t comment on that. .

This public hearing is closed at 9:28 p.m.

Council President Lundberg expressed that there are some decisions that need to be made by the Council but that there is no action that will be taken by them this evening. He recounted that there was a referendum in 2015 which went to the voters -- 6,020 in favor of retaining fluoride in the city’s water supply and 3,199 opposed, or a 2 to 1 margin. He pointed out that if they were to make any changes, they have to go back to the voters. He conveyed his personal opinion that if they were going to make any changes this needs to go back to the city’s voters. When the Council considers their options, they can talk about a Home Rule Petition that the Council can vote about

fluoride but didn't advocate that. The voters had spoken recently on this matter, he reminded the Council. He asked if they want a Council Order, or resubmit a ballot question as two possibilities

Councilor Gilman expressed an interest in getting more information on the 189 cities and towns that have eliminated fluoride, and how many of those communities had done it via a vote of the population and what communities took advantage of a Home Rule Petition to eliminate fluoridation. The 6,020 voters might see this as a challenge to their vote taken just three years ago. She suggested perhaps the City Clerk could get this information through the Mass. Clerk's Association.

At **Councilor LeBlanc's** request, **Chip Payson**, General Counsel, reviewed that noted the non-binding referendum vote. The statute, M.G.L. Ch. 111, §8C requires this matter go to the ballot. Ten percent of city voters have to sign and submit a petition to the City Clerk. The Council can go the Home Rule Petition route to gain relief from M.G.L. Ch. 111, §8C but it is most likely the 10% of voters to put a question of this nature on the ballot. He advised that this "trumps" the ordinance. The Council can't vote to put this on the ballot, saying it was his opinion.

Councilor Hecht explained he is trying to find out the "truth" with radically differing views. He asked the city's Board of Health Director delve deeper in the studies brought up and give the Council commentary. He asked for further research by the Board of Health on those same studies noted this evening indicating he heard compelling arguments made to remove fluoride from the city's water supply.

Councilor O'Hara expressed that there are reservations about fluoride in the city's water supply, and it is an issue that has to be evaluated and addressed by the legislative branch of the city. **Council President Lundberg** advised the Board of Health has all the research and studies and is the city's primary resource for the Council should they wish to avail themselves of their knowledge and their data they have available in order to educate themselves on the subject.

Councilor Nolan advised he's done much reading and research on his own on the matter of fluoridation as he has issues that are affected by fluoride and other chemicals in the city's water supply. He advised while he doesn't like fluoridation, he sees and feels the effects of fluoride in the water. He asked for more information.

Councilor Gilman suggested more evidence-based research and asked if there could be a centralized place to collect their questions and have them answered. She suggested that the Board of Health could talk about that at one of their monthly meetings and a Councilor or Councilors could attend.

Council President Lundberg urged that Councilors seek the advice of the Health Director and the Board of Health and suggested the Council turn to them as he will to learn about any particular matter related to health and is the city's repository. Councilors can pursue that level of study, he advised saying he was unsure that they, as a Council, have a formal level of study at this point.

For Council Vote:

1. Decision to Adopt SCP2018-002: Prospect Street #93, GZO Sec. 1.8, 1.8.3 and 2.3.1(7)

MOTION: On a motion by Councilor Gilman, seconded by Councilor Memhard, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, to adopt the SCP decision (SCP2018-002) for Prospect Street #93, pursuant to Sections 1.8, 1.8.3 and 2.3.1(7) of the Gloucester Zoning Ordinance.

2. Warrant for State Election on November 6, 2018

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Memhard, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Holmgren) absent, to approve the warrant for the State Election to be held November 6, 2018.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees:

Update on the Poet Laureate Selection Committee by City Council Representative, Councilor Paul Lundberg: **Council President Lundberg** reported that he has "lateralled" liaising with the Poet Laureate Selection Committee to Councilor Cox who has been speaking with the Mayor and the Committee for the Arts where the request for applications originates with the Committee for the Arts. He suggested she could give that report upon her return to the Council.

Councilors' Requests to the Mayor:

Councilor Memhard thanked the Administration and DPW for the improvements in the area of Good Harbor Beach. He highlighted there is a with a new bike rack at the Good Harbor Beach footbridge on Nautilus Road. He reported that the Thatcher Road repaving and new pedestrian walkway on it to Good Harbor Beach is a “radical” improvement for safety of pedestrians which has been 17 years in the making; he pointed out, including the efforts of former Ward 1 City Councilors Joseph Ciolino and Paul McGeary.

Councilor Gilman requested that the Traffic Commission through the DPW remove at 50 River Road a handicap parking sign; that the DPW place a 30 mph sign on Pole 281 on the south side of Washington Street before Plum Cove Street (NOTE: Request to the Mayor dated 9/10/18 for a 25 mph sign was inaccurate); and request that that the DPW in conjunction with NGRID access and remove overhanging limbs pushing against wires on Washington Street from the Rockport town line to the Richdale Food Store at 410 Washington Street. Pointing out that NGRID is responsible for their wires; she asked they be made safe before the onset of winter. She noted that the Lanesville Music Festival is Saturday, Oct. 13, 12 Noon to 6:00 p.m. rain or shine at the Lanesville Community Center, 8 Vulcan Street.

Councilor O’Hara thanked the DPW, the Mayor, and Councilor Memhard for working to remove a large rotted tree at 47 Chapel Street and asked how the city can look at its trees around the city to assure pedestrian and vehicular safety on city sidewalks and roadways. He advised he has reached out with Councilor Nolan about their joint concern for the improvement of Route 128 which he observed is a “parking lot in both directions” after 2:00 p.m. to 7:00 p.m./8:00 p.m. causing increased transportation costs to and from Gloucester for the carrying of goods and services. Route 128 is extremely outdated, he pointed out , and urged residents and the Council to voice their concern to the city’s state legislative representatives and U.S. Senators to push for plans for changes to that important roadway.

Council President Lundberg added his voice to the call for tree limb removal and filling of potholes across the city before the winter season.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:49 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **John O’Rourke**, Director of Marketing Northeast, Good Energy, LP: Community Electricity Aggregation Update, October 9, 2018 -- Power Point Presentation

The following written statements from PH2018-051: Group Free Petition under City Charter Sec. 9-1(b) to stop artificial fluoridation of city water were received:

- **Karen Spencer Favazza**, 67 Langsford Street, Power Point presentation in favor of removing fluoride from the city’s water supply;
- **Carmine Gorga**, 87 Middle Street in favor of removing fluoride from the city’s water supply;
- **Kathryn Goodick**, 10 Dogtown Road, in favor of removing fluoride from the city’s water supply;
- **Jessica McGovern**, 115 Beach Street, Manchester, in favor of removing fluoride from the city’s water supply;
- **Johanna Keefe, Ph.D, RN**, in favor of removing fluoride from the city’s water supply;
- **Dr. Richard Sagall**, retired physician and Chair of the Gloucester Board of Health, in favor of continuation of the city’s fluoridation of its water supply;
- **Dr. John Fisher**, General Dentist, Salem; Chair of Better Oral Health for Mass. Coalition; Oral Health Committee for the Mass. Medical Society; Advisory Board for the Forsyth School of Dental Hygiene in favor of the continuation of the city’s fluoridation of its water supply.